

## CLAIMS

1. A negative electrode active material for a non-aqueous electrolyte rechargeable battery capable of absorbing/desorbing lithium comprising: an inner layer comprising at least a material selected from the group consisting of Si, Sn, an alloy containing Si and an alloy containing Sn; and a surface layer comprising silicon oxide or tin oxide of 0.2 to 1,000 nm in average thickness formed on said inner layer.

2. The negative electrode active material in accordance with claim 1, wherein the average thickness of said surface layer is 1 to 100 nm.

3. The negative electrode active material in accordance with claim 1, wherein the average thickness of said surface layer is 1 to 10 nm.

4. The negative electrode active material in accordance with claim 1, wherein said surface layer has a thickness in the range of  $\pm 50\%$  of the average thickness.

5. The negative electrode active material in accordance with claim 1, wherein said alloy comprises Si or Sn and at least an element selected from the group consisting of Ti, Co, Ni, Cu, Mg, Zr, V, Mo, W, Mn and Fe.

6. The negative electrode active material in accordance with claim 1, wherein said alloy comprises at least an Si phase or an Sn phase and an alloy phase containing at least an element selected from the group consisting of Ti, Co,

Ni, Cu, Mg, Zr, V, Mo, W, Mn and Fe.

7. The negative electrode active material in accordance with claim 1, which is in the form of a thin film or powder.

8. The negative electrode active material in accordance with claim 1 including an amorphous Si phase.

9. A non-aqueous electrolyte rechargeable battery using a negative electrode active material capable of absorbing/desorbing lithium comprising: an inner layer comprising at least a material selected from the group consisting of Si, Sn, an alloy containing Si and an alloy containing Sn; and a surface layer comprising silicon oxide or tin oxide of 0.2 to 1,000 nm in average thickness formed on said inner layer.